

tige

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

van Oosterhout et al.

Serial No.: 09/668,555

Filed: September 22, 2000

For: METHODS AND MEANS FOR THE TREATMENT OF IMMUNE RELATED

DISEASES

Examiner: Ron Schwadron, Ph.D.

Group Art Unit: 1641

Attorney Docket No.: 2183-4541US

CERTIFICATE OF MAILING

I hereby certify that this paper or fee along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail (under 37 C.F.R. § 1.8(a)) on the date of deposit shown below with sufficient postage and in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit Signature of registered practitioner or other person having reasonable basis to

other person having reasonable basis to expect mailing to occur on date of deposit shown pursuant to 37 C.F.R. § 1.8(a)(1)(ii)

Typed/printed name of person whose signature is contained above

DECLARATION UNDER 37 C.F.R.§ 1.132 TRAVERSING GROUNDS FOR REJECTION BASED ON ATTRIBUTION

I. Ypke V. J. M. van Oosterhout, hereby declare as follows:

- 1. I, along with Janny E. van Emst, are joint inventors of the invention entitled "Methods and Means for the Treatment of Immune Related Diseases", an application for U.S. Letters Patent for which was filed September 20, 2000 and assigned Application Serial No. 09/668,555. Janny E. van Einst and I are the only inventors of the subject matter claimed in Application Serial No. 09/668,555.
- 2. I, along with Janny E. van Emst, A. Schattenberg, W.J.M. Tax, H. Spits, S. Evers, T. de Witte, F.W.M.B. Preijers and C. Mandigers are the co-authors of the publication entitled "Suitability of a cocktail of CD3 and CD7 ricin A-immunotixins for in vivo treatment of acute graft-

versus-host disease" (hereinafter referred to as "the publication"). The publication was published November 15, 1997.

- 3. Notwithstanding the authorship of the publication, knowledge of the subject matter disclosed in the publication was derived solely from mc and Janny E. van Ernst. A. Schattenberg, W.J.M. Tax, H. Spits, S. Evers, T. de Witte, F.W.M.B. Preijers, and C. Mandigers did not contribute to the conception or invention of the subject matter disclosed in the publication, but were merely working under my direction or the direction of Janny E. van Ernst.
- 4. I acknowledge that willful false statements and the like are punishable by fine and/or imprisonment (18 U.S.C. § 1001) and may jeopardize the validity of the application or any patent issuing thereon. I also acknowledge that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true.

Ypke V. L.M. van Oosterhout

December 4, 2002